

12-10-01

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Docket No. 4208-4057Express Mail No. EF098985576US

27123

PATENT TRADEMARK OFFICE

JC997 U.S. PTO  
10/008334

↑AFFIX CUSTOMER NO. LABEL

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))**

Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

- (1) Lin Xu, Pyrypolku 11, 33880, Lempaala, Finland
- (2) Jarno Leinonen, Kisakentankatu 24B 13, 33230 Tampere, Finland

☐ Additional inventors are listed on a separate sheet

For: A SYSTEM AND METHOD FOR EFFICIENT DISTRIBUTION OF  
MULTICASTABLE SERVICES

Enclosed Are:

19 page(s) of specification  
1 page(s) of Abstract  
10 page(s) of claims  
4 sheets of ☒ Formal ☐ Informal drawings  
8 page(s) of Declaration and Power of Attorney

- ☐ Unsigned  
☒ Newly Executed  
☐ Copy from prior application  
☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

☒ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

- ☐ Incorporation by Reference:
- ☐ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.
- ☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))
- Signed statement attached deleting inventor(s) named in the prior application serial no. \_\_\_\_\_, filed \_\_\_\_\_.
- ☐ Microfiche Computer Program (Appendix)
- ☐ page(s) of Sequence Listing
- ☐ computer readable disk containing Sequence Listing
- ☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same
- ☐ Assignment Papers (assignment cover sheet and assignment documents)
- ☐ A check in the amount of \$40.00 for recording the Assignment
- ☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_.
- ☐ Assignment Papers filed in the parent application Serial No. \_\_\_\_\_
- ☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)
- ☐ Priority is claimed under 35 U.S.C. §119 for:
- Application No(s). \_\_\_\_\_, filed \_\_\_\_\_, in \_\_\_\_\_ (country).
- ☐ Certified Copy of Priority Document(s) [\_\_\_\_\_]
- ☐ filed herewith
- ☐ filed in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
- ☐ English translation document(s) [\_\_\_\_\_]
- ☐ filed herewith
- ☐ filed in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
- ☐ Priority is claimed under 35 U.S.C. §119(e) for:
- Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_.

- ☒ Information Disclosure Statement
- ☒ Copy of [4] cited references
- ☒ PTO Form-1449
- ☐ References cited in parent application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
- ☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
- ☐ A copy of related pending U.S. Application(s) Serial No(s): \_\_\_\_\_, filed \_\_\_\_\_, respectively, is attached hereto.
- ☐ A copy of related pending U.S. Application(s) entitled, \_\_\_\_\_, filed \_\_\_\_\_ to inventor(s) \_\_\_\_\_, respectively, is attached hereto.
- ☐ A copy of each related application(s) was submitted in parent application serial no. \_\_\_\_\_, filed \_\_\_\_\_.
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part of prior application serial no. \_\_\_\_\_, filed \_\_\_\_\_, to which priority under 35 U.S.C. §120 is claimed.
- ☐ Cancel in this application original claims \_\_\_\_\_ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).
- ☐ The status of the parent application is as follows:
- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_\_.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☐ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the parent application to this application
- ☐ Amend the specification by inserting before the first line the sentence:  
This is ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

| I. CALCULATION OF APPLICATION FEE  |              |   |                  |                              |
|--|--------------|---|------------------|------------------------------|
|  | Number Filed | Number Extra                              | Rate             | Basic Fee<br>\$740.00/370.00 |
| Total Claims*  | 108- 20 =    | 88x                                       | \$18.00/ \$9.00  | \$ 1584                      |
| Independent Claims   | 12- 3 =      | 9x  | \$84.00/ \$42.00 | \$ 756                       |
| <input checked="" type="checkbox"/> Multiple Dependent Claims  |              | If marked, add fee of \$280.00 (\$140.00) |                  | \$ 280                       |
| * Reflects total number of claims for fee purposes, with multiple dependent claims being counted according to 37 C.F.R. §1.75(c) |              |   |                  |                              |
| TOTAL:   |              |   |                  | \$ 3360.00                   |

- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$\_\_\_\_\_.
- ☒ A check in the amount of \$3360.00 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, **including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4057. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

By: \_\_\_\_\_

Peter N. Fill

Registration No. 38,876

Dated: December 6, 2001

Correspondence Address:

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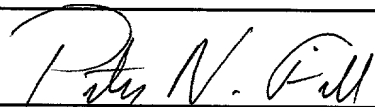
**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

|                      |                  |
|----------------------|------------------|
| Application No.      | TBA              |
| Filing Date          | December 6, 2001 |
| First Named Inventor | Xu               |
| Group Art Unit       | TBA              |
| Examiner Name        | TBA              |
| Atty Docket No.      | 4208-4057        |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. §122(b).

This request is signed in compliance with 37 C.F.R. §1.33(b) and is being submitted with the application **at the time of filing**.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

|                   |   |                       |                  |
|-------------------|---|-----------------------|------------------|
| Signature         |  | Date                  | December 6, 2001 |
| Name (Print/Type) | Peter N. Fill   | Reg. No. (Atty/Agent) | 38,876           |

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. §122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. §122(b)(2)(B)(iii)).**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Lin Xu and Jarno Leinonen

Group Art Unit: TBA

Serial No.: TBA

Examiner: TBA

Filed: December 6, 2001

For: SYSTEM AND METHOD FOR EFFICIENT DISTRIBUTION OF  
MULTICASTABLE SERVICES

**CERTIFICATE OF MAILING (37 C.F.R. §1.8(a))**

Commissioner for Patents  
2900 Crystal Dr.  
Arlington, VA 22202-3513

Sir:

I hereby certify that the attached:

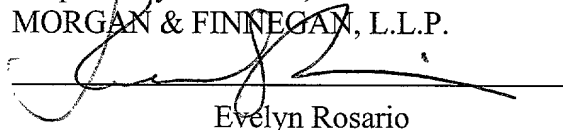
1. Utility Application and Fee Transmittal;
2. Patent Application (Specs. 19 pgs., Abstract 1 pg., Claims 10 pgs.);
3. Four (4) Sheets of Formal Drawings (Figs. 1-4);
4. Request and Certification Under 35 USC 122(b)(2)(B)(i) Form;
5. Combined Declaration and Power of Attorney;
6. Information Disclosure Statement;
7. Information Disclosure Citation Form PTO-1449;
8. Five (5) Cited References;
9. Check # 21099 in the amount of \$3,360.00 (filing fee);
10. Return Receipt Postcard.

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, 2900 Crystal Dr., Arlington, VA 22202-3513.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: December 6, 2001

By:

  
Evelyn Rosario

Correspondence Address:

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